

NIST SPAM **TECHNOLOGY WORKSHOP**

Panel I, February 17, 2004

Michelle O'Neill

Deputy Assistant Secretary

for Information Technology Industries

International Trade Administration

U.S. Department of Commerce

Five Themes

- The Challenge & Impact on Stakeholders
- No “Silver Bullet”
- The Role of Legislation/Regulation
- Importance of Private-Sector Solutions
- International Cooperation

Interdependence of the Global Marketplace

Anti-spam measures need to be balanced by the following considerations:

- Legitimate business interests should not be unnecessarily impeded.
- Nations are striving to be the #1 Digital Economy.
- International data flows are immense and critical.

No “Silver Bullet”!

How Can We Combat Spam?

- Gather and Analyze Data to Determine Actual Roots of Problem
- Seek Global Solutions for Global Impact
- Diversify Anti-spam Approaches:
 - ◆ Regulatory Solutions Coupled with Education and Technology Solutions
 - ◆ Involvement of All Stakeholders
- Avoid Unintended Consequences Such as Interruption of Legitimate Business Activities

The Role of Legislation & Regulation – U.S.

- **U.S. CAN-SPAM Act of 2003:**
 - ◆ **Opt-Out Approach – Striking a Balance**
 - ◆ **Prohibit Use of Deceptive Subject Lines and False Headers, Harvesting and Dictionary Attacks**
 - ◆ **FTC Is Authorized to Investigate the Feasibility of a "Do-not-email" Registry**
- **Federal V. State Legislation**
- **Confronting Harmful spam**
- **Technical Solutions**

International/Multilateral Efforts

- Opt-in approaches – EU Directive
- Opt-out approaches – Mexico, Japan, etc.
- National enforcement efforts
- Agreement on importance of technical solutions, consumer/business awareness, focus on harmful spam
- Multilateral Fronts:
 - OECD
 - APEC

Private Sector Solutions & Education

- Governments Must Demonstrate Flexibility/
Support Private Sector Initiatives
- Research & Development
- Industry Coalitions
- Technical Solutions and Trust Programs
- Anti-spam Education & Outreach

Cross-Border Cooperation & Enforcement

- International Problem:
 - ◆ Cross-Border Cooperation is Critical
 - ◆ Information Exchange and Collaboration Imperative
 - ◆ Focus on Anti-spam Initiatives and Enforcement is Essential
- Our Digital Economy Depends on This

Thank You!

Questions or Comments?

